

RECEIVED
CENTRAL FAX CENTER

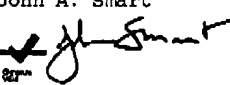
Docket No. **SMI0005.00****OCT 31 2005**


PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1996, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/945,130	
	Filing Date	August 31, 2001	
	First Named Inventor	Kucherauw	
	Art Unit	2145	
	Examiner Name	Swearingen, Jeffrey R	
Total Number of Pages in This Submission	17	Attorney Docket Number	SMI0005.00

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Remarks	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): TRANSMITTAL LETTER
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	John A. Smart	
Signature	 <div style="font-size: small; margin-left: 10px;"> Digitally signed by John A. Smart Date: 2005.10.31 13:48:14 -0400 </div>	
Date	October 31, 2005	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name	John A. Smart	Phone: (408) 884 1507 Fax: (815) 572 8299
Signature	 <div style="font-size: small; margin-left: 10px;"> Digitally signed by John A. Smart Date: 2005.10.31 13:48:14 -0400 </div>	Date 10/31/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER

OCT 31 2005

PATENT
Docket No. SMI/0005.00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Murray Kucherawy

Serial No.: 09/945,130

Filed: August 31, 2001

For: E-mail System Providing Filtering
Methodology on a Per-Domain Basis

Examiner: Swearingen, Jeffrey R

Art Unit: 2145

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed herewith is an Amendment after Final/Appeal, which is filed for purposes of reducing the number of issues on appeal.

As this Amendment is filed within two months of Applicant's Notice of Appeal (filed August 29, 2005), it is believed that no Extension is required. If, however, the Office believes that an Extension is required, Applicant requests under 37 CFR 1.136(a) that the period for filing a reply in the above identified application be extended, and the Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 501370. Applicant claims small entity status under 37 CFR 1.27. A duplicate of the sheet is enclosed.

If needed, the undersigned may be reached at (408) 884 1507.

Respectfully submitted,

Date: October 31, 2005

 Digitally signed
by John A.
Smart
Date:
2005.10.31
10:42:47 -05'00'

John A. Smart; Reg. No. 34,929
Attorney of record

708 Blossom Hill Rd., #201
Los Gatos, CA 95032-3503
(408) 884 1507
(815) 572 8299 FAX

SMI/0005.00

DUPLICATE

RECEIVED
CENTRAL FAX CENTER

OCT 31 2005

PATENT
Docket No. SMI/0005.00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Murray Kucherawy

Serial No.: 09/945,130

Filed: August 31, 2001

For: E-mail System Providing Filtering
Methodology on a Per-Domain Basis

Examiner: Swearingen, Jeffrey R

Art Unit: 2145

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed herewith is an Amendment after Final/Appeal, which is filed for purposes of reducing the number of issues on appeal.

As this Amendment is filed within two months of Applicant's Notice of Appeal (filed August 29, 2005), it is believed that no Extension is required. If, however, the Office believes that an Extension is required, Applicant requests under 37 CFR 1.136(a) that the period for filing a reply in the above identified application be extended, and the Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 501370. Applicant claims small entity status under 37 CFR 1.27. A duplicate of the sheet is enclosed.

If needed, the undersigned may be reached at (408) 884 1507.

Respectfully submitted,

Date: October 31, 2005

 Digitally signed
by John A.
Smart
Date:
2006.10.31
13:43:02 -08'00'

John A. Smart; Reg. No. 34,929
Attorney of record

708 Blossom Hill Rd., #201
Los Gatos, CA 95032-3503
(408) 884 1507
(815) 572 8299 FAX

SMI/0005.00

**RECEIVED
CENTRAL FAX CENTER**

OCT 31 2005

**AMENDMENT UNDER 37 C.F.R. §1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2145**

**PATENT
Docket No. SML/0005.00**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Murray Kucherawy

Serial No.: 09/945,130

Filed: August 31, 2001

For: E-mail System Providing Filtering
Methodology on a Per-Domain Basis

Examiner: Swearingen, Jeffrey R

Art Unit: 2145

**AMENDMENT AFTER FINAL ACTION
AND APPEAL**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the final Office Action mailed May 25, 2005, and in order to reduce the number of issues on Appeal, please amend the above-referenced patent application as shown below.